HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND

HON'BLE SRI JUSTICE G. V. SEETHAPATHY

Writ Petition No.12344 of 2006

Between:

K. Jagan Mohan Rao … Petitioner

And

State of Andhra Pradesh, State Council of Higher Education, rep. by its Principal Secretary, Secretariat, Hyderabad and another

… Respondents

:: ORDER::

Counsel for the petitioner: Sri Sai Gangadhar Chamarty

Counsel for Respondent No.1: Government Pleader for Higher Education

Counsel for Respondent No.2: None

22nd June, 2006

Per G.S.SINGHVI, CJ

This petition filed in the name of public interest for virtually cancelling the examination of Zoology paper of EAMCET-2006 on the ground that some of the questions are out of syllabus can appropriately be described as a frivolous piece of litigation and deserves to be dismissed summarily.

The petitioner claims to be a lecturer in Zoology with forty years experience. He has averred that some of the questions in the paper of Zoology in the recently held EAMCET examination are out of syllabus and if the concerned authorities are not ordained to take remedial steps, the career of the students will be seriously jeopardized. Along with the writ petition, he has enclosed a list of questions, which, in his opinion, are out of syllabus.

We have heard Shri Sai Gangadhar Chamarthy, Advocate for the petitioner and perused the averments contained in the affidavit of the petitioner.

In our opinion, the writ petition is liable to be dismissed because the petitioner does not have the locus to seek cancellation of the examination of Zoology paper of EAMCET-2006. Neither the petitioner nor his ward is shown to have appeared in Zoology paper of EAMCET-2006. Therefore, he cannot have any direct grievance against the setting up of question paper. None of the students, who appeared in the paper of Zoology, has come forward to complain against any so-called anomaly in the paper. None of them has alleged that the questions were out of syllabus. Therefore, we do not find any justification for the Court's interdiction with the process of examination. Any such attempt by the Court will jeopardize the scheme of examination

and may adversely affect the career of unknown number of students.

With the above observations, the writ petition is dismissed.

G.S. SINGHVI, CJ

G.V. SEETHAPATHY, J

22.06.2006
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